

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SWIRLATE IP LLC,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 1:20-cv-01283-CFC
v.	)	
	)	<b>JURY TRIAL DEMANDED</b>
KEEP TRUCKIN, INC.,	)	
	)	
Defendant.	)	
	)	

**DEFENDANT KEEP TRUCKIN, INC.’S  
MOTION TO DISMISS UNDER FED. R. CIV. P. 12(b)(6)**

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant Keep Truckin, Inc. (“Defendant”) moves to dismiss Plaintiff Swirlate IP LLC’s Original Complaint for Patent Infringement (D.I. 1) for failure to state a claim upon which relief can be granted. The grounds for this motion are set forth in Defendant’s Opening Brief, submitted herewith.

Respectfully submitted,

GREENBERG TRAURIG, LLP

*Of Counsel:*

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*pending*)  
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*Counsel for Keep Truckin, Inc.*

Dated: February 15, 2021

**CERTIFICATE OF SERVICE**

I, Benjamin J. Schladweiler, hereby certify that on February 15, 2021, I caused the foregoing ***Defendant Keep Truckin, Inc.'s Motion to Dismiss Under Fed. R. Civ. P. 12(b)(6)*** to be served via electronic mail upon the following counsel of record:

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